IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 10th day of July, 2006
Bail Application No. 368 of 2006
Order on the bail application of accused

CRIMINAL SIDE

Sohan Lal S/o Bihari Lal
R/o Beraghat P.S. Khatima ….Applicant

Versus

State of Uttaranchal …Opposite Party

Arising out of Case Crime No. 127 of 2006
Under Sections 376, 452, 504, 506 I.P.C.
P.S. Khatima
District Udham Singh Nagar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in Case Crime No. 127 of 2006 under Section 376, 452, 504, 506 I.P.C., P.S. Khatima, District Udham Singh Nagar.

Heard Sri S.C. Bhatt, learned counsel for the applicant, learned A.G.A. and perused the record.

The complainant – Sadawati W/o Pantulal lodged the F.I.R. against the applicant stating therein that when she was sleeping inside the room of her house then the accused/applicant in the mid-night entered in the house and committed rape upon her.

She has also stated that the accused threatened her with dire consequences.

The report of this case has been lodged on the next day by the prosecutrix herself.

I could not come across any different version in the First Information Report or in the bail application, which may satisfy me that the accused/applicant has been impleaded on account of enmity between the parties.

Having considered the aforesaid facts and circumstance of the case, I do not think, it just and proper to release the applicant on bail at this stage.

Accordingly, the bail application is rejected.

(B.C. Kandpal, J.)

10.07.2006
ASWAL